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|---------------|-------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|

RONALD C FEDUS
ENZO DIAGNOSTICS INC
527 MADISON AVENUE
9TH FLOOR
NEW YORK NY 10022

HM11/0424

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| WANG, A | EXAMINER |
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|-------------|--------------|
| ART UNIT 35 | PAPER NUMBER |
|-------------|--------------|

04/24/98

DATE MAILED:



APR 21 1998

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

The specification and drawings disclose sequences which are not in compliance with the sequence rules.

Applicant is given THIRTY DAYS from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wang whose telephone number is (703) 306-3217.

JOHN L. LECHYADER
PRIMARY EXAMINER
GROUP 1800

BEST AVAILABLE COPY

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 58 FR 28230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: _____

Applicant must provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

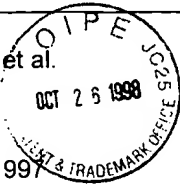
For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elazar Rabbani et al.
Serial No. 08/978,634
Filed: November 25, 1997
Title: **NOVEL PROPERTY EFFECTING
AND/OR PROPERTY EXHIBITING
COMPOSITIONS FOR THERAPEUTIC
AND DIAGNOSTIC USE**



Group Art Unit: 1635

Ex'r: Andrew Wang

527 Madison Avenue, 9th Floor
New York, New York 10022
October 26, 1998

FILED BY EXPRESS MAIL

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Attention: **Box Sequence**

**COMMUNICATION DIRECTED TO NOTICE
TO COMPLY WITH SEQUENCE RULES**

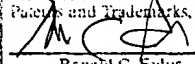
Dear Sirs:

This Communication is directed to the Notice To Comply With Sequence Rules that was attached to the Notice to File Missing Parts of Application – Filing Date Granted that was mailed on April 24, 1998 in connection with the above-identified application.

In response to the sequence notice, Applicants hereby submit the following documents or items:

1. A Request For An Extension Of Time (Five Months) Under 37 C.F.R. §1.136(a);
2. A copy of the Notice To Comply With Requirements For Patent Application Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures Under 37 C.F.R. §§1.821 -1.825;

ENZ-53(D2)

| EXPRESS MAIL CERTIFICATE | |
|---|-------------------|
| Express Mail Label No. | EM366566219 |
| Deposit Date | OCTOBER 26, 1998 |
| I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service Express Mail Post Office to Adressed Service under 37 C.F.R. 1.10 on the date indicated above and addressed to the Commissioner of Patents and Trademarks, Washington DC 20231. | |
|  Ronald C. Fedus Reg. No. 32557 | OCT 26 98 Date |

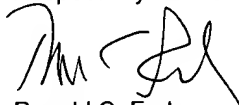
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3. initial paper copy of the "Sequence Listing;"
4. Amendment directing entry of the "Sequence Listing into the specification;
5. computer readable form (CFR) copy of the "Sequence Listing;" and
6. Declaration Under 37 C.F.R. §1.821(g) attesting that the content of the paper and computer readable copies are the same and include no new matter.

No fee is believed due in connection with this Communication or the documents or items submitted herewith other than the fee payment authorized in the Request For an Extension Of time (Five Months) Under 37 C.F.R. §1.136(a). If any other fee or fees are due, however, the Patent and Trademark Office is hereby authorized to charge the amount of any such fee to Deposit Account 05-1135, or to credit any overpayment thereto.

If helpful to processing this Communication, the undersigned may be contacted by telephone at (212) 583-0100 during the daytime hours.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

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